



**MINUTES
OF THE
MEETING OF THE
BENBROOK CITY COUNCIL
THURSDAY, SEPTEMBER 1, 2022**

The regular meeting of the Benbrook City Council was held on September 1, 2022 at 7:30 p.m. in the Council Chambers with the following Council members present:

Jason Ward, Mayor
Renee Franklin
Larry Marshall
Dustin Phillips
Gary Addison
Laura Mackey
Keith Tiner

Also Present:

Andy Wayman, City Manager
Jim Hinderaker, Assistant City Manager
Joanna King, City Secretary
Beth Fischer, Deputy City Secretary
Rick Overgaard, Finance Director

Others:

Dana Addison
Phyllis Harkins
Josh Harville
Ann Mattern
Tammy Cauthen

I. CALL TO ORDER

Meeting called to order at 7:30 p. m. by Mayor Ward

II. INVOCATION/PLEDGE OF ALEGIANCE

Invocation was given by Councilmember Dr. Marshall
The Pledge of Allegiance was recited.

III. CITIZEN COMMENTS ON ANY AGENDA ITEM

Ann Mattern spoke on item G-2576.

IV. MINUTES

1. Approve minutes of the regular meeting held August 18, 2022

Motion by Dr. Marshall, seconded by Mr. Phillips to approve the minutes of the regular meeting held August 18, 2022

Vote on the Motion

Ayes: Ms. Franklin, Dr. Marshall, Mr. Phillips, Mayor Ward, Mr. Addison, Ms. Mackey, Mr. Tiner

Noes: None

Motion carried unanimously.

V. PRESENTATION BY MAYOR AND MEMBERS OF CITY COUNCIL

**CC-2022-06 Accept Certification of Unopposed Candidates and adopt Ordinance canceling November 8, 2022 General Election
(Aceptar la certificación de candidatos sin oposición y adoptar la Ordenanza que cancela las elecciones generales del 8 de noviembre de 2022)
(Chấp nhận Chứng Nhận Các Ứng Cử Viên Không Được Phản Đối và thông qua Sắc Lệnh hủy bỏ Cuộc Tổng Tuyển Cử Ngày 8 Tháng Mười Một, 2022)**

Joanna King gave the following report: The filing period for the November 8, 2022 General Election ended on August 26, 2022. At the deadline, candidates in Places 2, 4, and 6 were unopposed. There are no propositions to appear on the ballot.

After receiving a Certificate of Unopposed Candidates by the City Secretary, State law allows governing bodies to declare each unopposed candidate elected to office and to cancel the general election.

As the official authorized to prepare the official ballot I, Joanna King, City Secretary for the City of Benbrook, Texas do certify that the following candidates are unopposed for the November 8, 2022 General Election and there are no propositions to appear on the ballot:

Member of the City Council, Place 2	Renee Franklin
Member of the City Council, Place 4	Dustin Phillips
Member of the City Council, Place 6	Laura Mackey

Motion by Mr. Tiner, seconded by Dr. Marshall to accept the Certificate of Unopposed Candidates, adopt Ordinance No. 1481 canceling the November 8, 2022 General Election; and, declare the following candidates duly elected to office to serve a two-year term:

City Councilmember, Place 2	Renee Franklin
City Councilmember, Place 4	Dustin Phillips
City Councilmember, Place 6	Laura Mackey

Vote on the Motion

Ayes: Ms. Franklin, Dr. Marshall, Mr. Phillips, Mayor Ward, Mr. Addison, Ms. Mackey, Mr. Tiner

Noes: None

Motion carried unanimously.

Ordinance No. 1481 being **“AN ORDINANCE CANCELING THE NOVEMBER 8, 2022 REGULAR ELECTION AND DECLARING EACH UNOPPOSED CANDIDATE ELECTED TO OFFICE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.”**

SECTION 1

The following candidates, who are unopposed in the November 8, 2022 general election, are hereby declared elected to office, to each serve a full two-year term and shall be issued a certificate of election:

Member of the Council, Place 2	Renee Franklin
Member of the Council, Place 4	Dustin Phillips
Member of the Council, Place 6	Laura Mackey

SECTION 9

This Ordinance shall be in full force and effect after its passage, and it is so ordained.

La Ordenanza No. 1481 es **"UNA ORDENANZA QUE CANCELA LAS ELECCIONES REGULARES DEL 8 DE NOVIEMBRE DE 2022 Y DECLARA A CADA CANDIDATO SIN OPOSICIÓN ELEGIDO PARA EL CARGO; DISPONIENDO QUE ESTA ORDENANZA SERÁ ACUMULATIVA DE TODAS LAS ORDENANZAS; PROPORCIONAR UNA CLÁUSULA DE DIVISIBILIDAD; PREVER LA PUBLICACIÓN EN EL PERIÓDICO OFICIAL; Y PROPORCIONAR UNA FECHA DE ENTRADA EN VIGOR. "**

SECCIÓN 1

Los siguientes candidatos, que no tienen oposición en las elecciones generales del 8 de noviembre, 2022, son declarados elegidos para el cargo, para cada uno de los cuales sirve un mandato completo de dos años y se les emitirá un certificado de elección:

Miembro del Consejo, Lugar 2	Renee Franklin
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SECCIÓN 9

Esta Ordenanza estará en pleno vigor y efecto después de su aprobación, y así se ordena.

Sắc lệnh số 1481 là "SẮC LỆNH HỦY BỎ CUỘC BẦU CỬ THƯỜNG KỲ NGÀY 8 THÁNG 2022 NĂM XNUMX VÀ TUYÊN BỐ TỪNG ỨNG CỬ VIÊN KHÔNG ĐƯỢC PHẢN ĐỐI ĐƯỢC BẦU VÀO CHỨC VỤ; QUY ĐỊNH RẰNG PHÁP LỆNH NÀY SẼ ĐƯỢC TÍCH LŨY TẤT CẢ CÁC PHÁP LỆNH; CUNG CẤP ĐIỀU KHOẢN VỀ HIỆU LỰC TỪNG PHẦN; QUY ĐỊNH VIỆC ĐĂNG TRÊN BÁO CHÍNH THỨC; VÀ CUNG CẤP MỘT NGÀY CÓ HIỆU LỰC.

MỤC 1

Các ứng cử viên sau đây, những người không được phản đối trong cuộc tổng tuyển cử ngày 8 tháng 2022 năm XNUMX, theo đây được tuyên bố là được bầu vào chức vụ, để mỗi người phục vụ trọn vẹn nhiệm kỳ hai năm và sẽ được cấp giấy chứng nhận bầu cử:

Thành viên của Hội đồng, Nơi 2 Renee Franklin
Thành viên của Hội đồng, Nơi 4 Dustin Phillips
Thành viên của Hội đồng, Nơi 6 Laura Mackey

MỤC 9

Pháp lệnh này sẽ có hiệu lực đầy đủ sau khi được thông qua, và nó được sắc phong như vậy.

VI. REPORTS FROM CITY MANAGER

A. GENERAL

G-2576 Adopt Ordinance amending Title 10 – Vehicles, and Traffic of the Benbrook Municipal Code (1985), as amended, by regulating commercial truck parking on streets within the City of Benbrook

Jim Hinderaker gave the following report: The purpose of this ordinance is to establish regulations restricting commercial truck parking on City streets. These regulations are necessary to protect the health, safety, and welfare of the citizens of Benbrook.

Key elements of the ordinance include:

- Regulation applies to all City streets
- Prohibits the parking of a commercial truck (more than 20ft. long, 7ft. wide or 7ft. tall) on a City street, unless actively engaged in the loading or unloading of the vehicle or service call

- Exempts emergency or other vehicles used while performing City business
- Exempts vehicles and equipment used by public service utility companies when repairing or extending public service utilities
- Establishes penalty for non-compliance

Motion by Mr. Addison, seconded by Ms. Franklin to adopt Ordinance No. 1482 amending Title 10 – Vehicles and Traffic of the Benbrook Municipal Code.

Vote on the Motion

Ayes: Ms. Franklin, Dr. Marshall, Mr. Phillips, Mayor Ward, Mr. Addison, Ms. Mackey, Mr. Tiner

Noes: None

Motion carries unanimously.

Ordinance No. 1482 being **“AN ORDINANCE OF THE CITY OF BENBROOK, TEXAS, AMENDING CHAPTER 10.16 – COMMERCIAL VEHICLES OF TITLE 10 – VEHICLES AND TRAFFIC OF THE BENBROOK MUNICIPAL CODE; RESTRICTING COMMERCIAL TRUCK PARKING ON CITY STREETS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN PAMPHLET FORM; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.”**

SECTION 5 PENALTY CLAUSE

Any person, firm, or corporation who violates, disobeys, omits, neglects, or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00) for all violations involving zoning, fire safety, or public health and sanitation, including dumping of refuse, and shall be fined not more than Five Hundred Dollars (\$500.00) for all other violations of this Ordinance. Each day that a violation is permitted to exist shall constitute a separate offense. Nothing herein shall affect any minimum fine prescribed by any ordinance of the city and any such minimum fine shall remain unchanged.

SECTION 10 EFFECTIVE DATE

This ordinance shall be in full force and effect from and after its passage and publication as required by law.

VII. OTHER MATTERS OF BUSINESS

1. Conduct Public Hearing on Property Tax Rate for 2022

Rick Overgaard gave the following overview of the Property Tax Rate for FY 2022:

No-New-Revenue and Voter-Approval Tax Rates (per \$100 valuation)

No-New Revenue Tax Rate	\$0.552088
Voter-Approval Tax Rate	\$0.598420
Proposed Tax Rate	\$0.595000

Proposed Ad Valore Tax Rate (per \$200 valuation)

General Fund	\$0.5740
Debt Service Fund	\$0.0210
Operating Fund	\$0.5950

Assessed Value Data

New Construction	\$35,890,201
One Cent of Property Tax	\$289,668

At the August 4, 2022 City Council meeting, the Finance Director presented the Certified Appraisal Roll from Tarrant Appraisal District (TAD). City Council accepted the appraisal roll and appointed Tarrant County to calculate the No-New-Revenue tax rate and Voter-Approval tax rate. City Council appointed the Finance Director to publish and enter tax data in www.tarranttaxinfo.com portal.

Notices were published in the August 18 and August 25, 2022 editions of the Star-Telegram. The public hearing on the 2022 property tax rate will be held at tonight's meeting. Adoption of the property tax rate will be conducted at the September 15, 2022 regular meeting.

Mayor Ward opened the public hearing at 7:43 p.m. No one spoke to the item.

Mayor Ward closed the public hearing at 7:43 p.m.

2. Conduct Public Hearing on Proposed Budget for FY 2022-23

Rick Overgaard gave the following overview of the proposed budget for Fiscal Year 2022-2023:

Current Tax Rate	\$0.6175
Proposed Tax Rate	\$0.5950

General Fund

Beginning Fund Balance	\$15,551,685
Revenues and Transfers in	\$23,900,915
Expenditures	(22,615,915)

Expansion of Overlay Project	(985,000)
Transfer Out	(300,000)
Anticipated ARPA Grant	<u>\$2,911,733</u>
Ending Fund Balance	\$18,463,418

Debt Service Fund

Beginning Fund Balance	\$462,581
Revenues	\$591,486
Transfers in (Stormwater Fund)	\$331,485
Expenditures	<u>(908,229)</u>
Ending Fund Balance	\$477,323

Budget Highlights

- Continuation of current services, programs and staffing levels
- No decision packages
- COLA for full-time employees
- Flat sales tax growth
- Increase asphalt overlay program per CIP

Debt Service Fund

- Principal and interest payments for two General Obligation Bond issues
- Transfers from Storm Water Utility Fund for related debt - \$331,48
- Debt Service property tax rate at \$0.0210

The public hearing on the proposed budget for Fiscal Year 2022-2023 will be held at tonight's meeting. Copies of the FY 2022-23 Proposed Budget are available on the city's website.

At the September 15, 2022 regular meeting, City Council will adopt the FY 2022-23 budget, adopt the 2022 property tax rate, and ratify property tax revenue increase.

Mayor Ward opened the public hearing at 7:47 p.m. No one spoke to the item.

Mayor Ward closed the public hearing at 7:48 p.m.

VIII. INFORMAL CITIZEN COMMENTS

IX. COUNCIL MEMBER AND STAFF COMMENTS

Councilmember Renee Franklin reminded citizens of the following:

- The Artesian and Farmers Market will be held at Dutch Branch Park on Saturday, September 3, 2022 from 10:00 a.m. to 3:00 p.m..
- Monday September 5, 2022 is Labor Day and City Hall will be closed.

- The VFW Post will hold their 2nd annual “Run for the V” on Sunday, September 11, 2022 beginning at 10:00 a.m. at the VFW Post on Stevens Drive. The run is in honor of Suicide Prevention Month.

X. ADJOURNMENT

Meeting adjourned at 7:48 p.m.

APPROVED:

Jason Ward, Mayor

ATTEST:

Joanna King, City Secretary